

COUNCIL MINUTES
TIGARD CITY COUNCIL MEETING
June 15, 2004

1. WORKSHOP MEETING

- 1.1 Mayor Dirksen called the meeting to order at 6:35 p.m.
- 1.2 Roll Call: Mayor Dirksen, Councilors Moore, Sherwood, Wilson, and Woodruff were present
- 1.3 Pledge of Allegiance
- 1.4 Council Communications & Liaison Reports: None.
- 1.5 Call to Council and Staff for Non-Agenda Items:

City Manager Monahan indicated he would like to update the Council on the recruitment for a new Director of Public Works and Deputy City Recorder Gaston would like to make an introduction before agenda item no. 3.

2. INTRODUCE INDONESIAN DELEGATION

City Manager Monahan provided a brief description of the International Resource Cities Program. He introduced the members of the delegation: Mrs. Hernawati, Mrs. Sri Purdhyaswati and Mrs. Darjati Husain from the cities of Samarinda and Balikpapan, Indonesia. He also introduced Mr. Kemal Taruc and Ms. Pauline, interpreters. Mr. Monahan described what the delegation had accomplished so far and what activities are scheduled for the remainder of their visit. The delegation's primary focus has been on environmental education.

Mrs. Hermawati greeted the Council and audience and gave her regards from the Mayors of their cities. She detailed what the delegation had gleaned from their experiences, noting they have gained new ideas on how to get students, parents and communities to become involved in water conservation, sanitation and forest preservation.

Mayor Dirksen and the delegates exchanged gifts and the Mayor presented the delegates with a certificate acknowledging their collaboration to strengthen educational programs in their communities.

Note: Non-agenda introduction of Jane McGarvin occurred before agenda item no. 3

City Manager Monahan reminded the Council that City Recorder Wheatley had taken a leave of absence. Deputy City Recorder Gaston introduced Jane McGarvin, Deputy City Recorder for Lake Oswego. Ms. Gaston stated although all the details had not been finalized, Ms. McGarvin may be serving as Tigard's interim City Recorder, beginning with the Council's July 13, 2004 meeting. Ms. McGarvin was in the audience and was recognized by the Council. Mr. Monahan explained the City of Lake Oswego will "lend" Ms. McGarvin to the City of Tigard.

3. BULL MOUNTAIN WHITE PAPERS

Community Development Director Hendryx provided background information on the subcommittees and white papers. Mr. Hendryx stated the subcommittees were to explore the cost, transition of services and implementation surrounding annexation.

Parks

Subcommittee Member Switzer described the membership of the subcommittee. City of Tigard residents, Bull Mountain residents, and city and county staff were represented. Acting Public Works Director Koellermeier and Parks and Facilities Manager Plaza were also present. The subcommittee worked on a concept for parks on Bull Mountain. He stated decisions were reached by consensus.

Mr. Switzer summarized the subcommittee's most important issues:

1. Washington County does not currently provide park and recreation services to unincorporated Bull Mountain, nor do they charge park system development charges (SDCs).
2. Availability of SDC funding during the first five years of annexation.
3. Can SDC revenues collected on Bull Mountain, after the first five years, be dedicated to securing parks only on Bull Mountain?
4. What financial alternatives exist for acquiring park space on Bull Mountain?
5. What impact does Metro's Goal 5 have on Bull Mountain parks?
6. Calling a moratorium, or perhaps public facilities strategy, to temporarily stop development until SDCs could be collected.
7. Identified Bull Mountain area park property owned by the city and potential park sites of one-acre or more that are currently available.
8. Can a viable parks concept plan be developed?

Subcommittee Member Hanford summarized section two of the parks white paper noting the city plans to use SDCs collected from Bull Mountain for Bull Mountain. He explained the Bull Mountain Parks Concept Plan envisions 45 acres of parkland for the area.

Based upon section two, summary of benefits, Mr. Switzer provided the highlights of the Bull Mountain Parks Concept Plan detailing possible park sites and configurations. Mr. Switzer referred to area 63 or 64 on the Bull Mountain proposed Park Concept Plan map as a potential site for a large community park.

Mr. Hanford read the subcommittee's recommendations detailed in the white paper.

In response to a question from Councilor Woodruff, Mr. Hendryx explained SDC charges are calculated by a prescribed method based on a formula. The parks plan, cost of land and improvements, park acres per population, future park needs, and park maintenance are all factors related to the calculation of SDCs.

In response to a question from Councilor Wilson, Mr. Switzer commented on the subcommittee's emphasis on traditional parks versus the preservation of green spaces. He stated the subcommittee identified every piece of potential park property over a certain size. He added of the property identified, nearly all had been "touched," leaving little opportunity for preservation efforts.

Mayor Dirksen inquired whether enough land exists to create sufficient park space. Mr. Hanford said he did not believe sufficient land existed within the study area. He added sufficient property may be available when considering the expansion areas or when looking outside the urban growth boundary. Mr. Switzer agreed with Mr. Hanford and added although adequate land is not available, the subcommittee had developed very good solutions given the amount of land they had to work with.

Mayor Dirksen commented the Bull Mountain area is the most underserved area with regard to parks. He noted although an item for the Council to consider, it seemed logical to spend SDCs collected from the Bull Mountain area in the Bull Mountain area.

Planning

Subcommittee Members Buehner, Meads, Beilstein, Duling and Washington County Representative Rice were present for this white paper summary. Ms. Meads described the membership of the subcommittee. City of Tigard residents, Bull Mountain residents, and city and county staff were represented. Community Development Director Hendryx was also present.

Ms. Meads reported the biggest issue identified by the subcommittee was the need to update the Tigard Comprehensive Plan as soon as possible. Ms. Meads read the subcommittee's summary of issues detailed the white paper.

Ms. Buehner commented if the city is unable to address the comprehensive plan update soon and, once initiated, the process will take several years, most buildable land will have been developed. She added updating the comprehensive plan was not in this year's plan with the current staff.

In response to Councilor Sherwood, Mr. Hendryx explained with issues such as the downtown plan, Goal 5 and other planning efforts, the planning department was not able to take on another major project.

Mr. Monahan added if the Council decides to proceed with annexation and annexation is successful, the Council could then consider staffing opportunities to gear up for the July 1, 2005 implementation. The comprehensive plan process could be reviewed at the same time. Mr. Monahan and Mr. Hendryx said some preliminary work on the comprehensive plan update could begin in the near future.

With regard to development and zoning, Ms. Rice described how the Bull Mountain area had developed after a plan was adopted in the early 1980s. Councilor Wilson confirmed there would have been public input about this plan.

Councilor Wilson asked the subcommittee what it hoped to accomplish with an update the comprehensive plan. Ms. Buehner stated currently Bull Mountain is zoned evenly. She suggested a comprehensive plan update might allow for rezoning to accommodate a quasi-commercial area with denser development, which would allow some areas to be down zoned, while maintaining the same overall density. Ms. Rice added areas 63 and 64 might also be zoned higher to offset lower densities on Bull Mountain.

Ms. Meads advised the subcommittee was interested in making the density transfer changes before the area was built out.

Councilor Woodruff mentioned the similarity between the subcommittee's comments and the visioning committee's findings.

The subcommittee reported there was no consensus among the group that annexation was the best way to address the concerns raised. Ms. Meads continued by saying consensus was reached, by residents of Tigard and Bull Mountain, that something needed to be done, as soon as possible, to protect both areas.

Police Services

Subcommittee Member Edwards was present for this white paper summary. Mr. Edwards described the membership of the subcommittee. City of Tigard residents, Bull Mountain residents, and city and county staff were represented. Assistant Chief Orr was also present.

Mr. Edwards commented through the subcommittee meetings, several hidden issues were resolved.

Mr. Edwards described the subcommittee's summary of issues and findings and summary of cost comparisons contained in the white paper. It was noted both county and city police service providers deliver comparable service at comparable cost and under annexation, services to Bull Mountain would remain at least the same level as currently provided.

Mr. Edwards reported there was a consensus of the subcommittee that there would be total cooperative effort between police agencies, Tigard citizens and residents of unincorporated Bull Mountain. Annexation would be quick, planned for, and established personnel would be brought in and trained. Mr. Edwards concluded by adding Bull Mountain residents could expect the same level of service currently provided, with no loss in transition.

Mr. Monahan suggested excess funds, available as a result of annexation, could be borrowed against in order to have city police officers geared up and ready when annexation takes effect. Then, on July 1, 2005, annexation would have no impact on police services for existing city residents or for the Bull Mountain community.

Councilor Wilson confirmed the county law enforcement budget does not clearly identify county wide services that are delivered to cities versus the unincorporated areas exclusively. He further confirmed that the Enhanced Sheriff's Patrol District was created to address the inequity of cities subsidizing unincorporated urban areas, and pointed out the county didn't follow through with this plan. Mr. Monahan added the County Sheriff was committed to conducting an analysis of this issue.

Councilor Woodruff inquired about a satellite police office. Mr. Monahan mentioned outside the work of the subcommittee, there had been discussions with the school district about a potential satellite police report writing room at the Alberta Rider School or on other property.

Streets

Subcommittee Member Giroux was present for this white paper summary. Mr. Giroux described the membership of the subcommittee. City of Tigard residents, Bull Mountain residents, and city and county staff were represented. City Engineer Duenas, Acting Assistant Public Works Director Rager, and Washington County Representative Saager were also present.

Mr. Giroux read portions of the subcommittee's white paper.

Mr. Giroux added since the subcommittee's report, he has learned Beef Bend Road will eventually be turned over to municipalities. He stated this would likely occur after annexation.

Mr. Giroux relayed some streets would not automatically transfer to the city upon annexation. Transfer of these streets must be done by separate action and this process is estimated to take six months. The transfer process should be initiated well before annexation.

Mayor Dirksen asked if the subcommittee had noted any streets that may be problematic, should no maintenance be performed for six months to a year. Mr. Giroux stated more research would need to be done to answer this question.

Mr. Duenas added about half the streets would have to go through a separate action in order to be annexed. He explained it becomes difficult for public works employees to discriminate among such streets. Mr. Duenas said the streets could be transferred relatively easily within a few months.

Mr. Hendryx concluded by saying the subcommittees had focused on a consensus building process. He advised Council they were scheduled to hear public comment on the all white papers at their June 22, 2004 meeting. Public comment may continue on June 23 and 24.

Councilor Moore expressed his appreciation to the subcommittees. He said the white papers are very complete and the subcommittees accomplished a great deal in a short time period.

Mayor Dirksen added next week the Council would consider accepting the white papers and would be listening to public comment.

Meeting recessed at 8:12 p.m.

Meeting reconvened at 8:23 p.m.

4. REVIEW PARK AND RECREATION NEEDS ASSESSMENT SURVEY DRAFT #2

Parks and Facilities Manager Plaza updated the Council on this agenda item. He said, on Monday, the Park and Recreation Advisory Board will meet with the consultant before making a final recommendation. A final draft will come before the Council on July 20, 2004 and the survey is slated to be conducted in August.

5. UPDATE ON THE WEED HARVESTING AT SUMMER LAKE

Parks and Facilities Manager Plaza introduced this item. City Manager Monahan explained several years ago some issues arose regarding the quality of the lake. Water sources, water temperature, algae growth and changes in regulations have impacted the lake and its management. Back when the quality issues came about, the Council consulted aquatic experts and staff and decided to harvest the weeds growing in the lake. This was a temporary way to address weed growth. To permanently correct the problem, physical changes would need to be made to the lake.

Mr. Monahan told the Council Summer Lake weed harvesting had been deleted from the budget this year and a resident raised concerns.

City Engineer Duenas stated there had been a task force formed to address the Summer Lake weed issue. He explained one of the easiest solutions was to harvest the weeds. The ultimate long-term recommendation was to take the lake offline and create a natural stream alongside the lake. The estimated cost of this proposal was between \$600,000 and \$800,000. There was concern there may not be enough water flow to support the lake and a stream. This is currently being monitored. He noted the weeds and unpleasant odor are typically problematic for two to three weeks a year.

Mayor Dirksen added if the lake is taken offline, water quality is no longer an issue and the city would have greater flexibility in managing the lake.

Councilor Wilson advised taking the lake offline would be controversial and could compromise the nature of the park. He added he would be very concerned about the ramifications of taking the lake offline. Mr. Duenas relayed Clean Water Services favors taking the lake offline, but the city had no plans to spend the money required

for such a project. Mr. Duenas remarked taking the lake offline would not negate the need for weed harvesting.

A short video depicting weed harvesting at Summer Lake was viewed. The video showed a floating harvester with reciprocating teeth. The teeth run along the bottom of the lake extracting the weeds and placing them on a conveyor belt. The harvester returned to shore where the weeds were offloaded. A backhoe is brought in to load the weeds onto a dump truck for disposal. It was noted that in the process of weed harvesting, the shoreline is damaged by the harvester and the other heavy equipment creates tracks to the lake.

Mr. Plaza stated public opinion regarding weed harvesting varies widely. He indicated due to the cost and environmental damage, the city intended to postpone weed harvesting until 2005.

Mr. Monahan asked about the current condition of the lake. Parks Supervisor Martin relayed there was some algae bloom, but few weed issues. As the weather gets warmer, greater algae bloom can be expected, but an increase in weeds is not anticipated.

In response to a question from Councilor Wilson, Mr. Duenas said the lake would need to approach a depth of 20 feet in order to make conditions unfavorable for weed growth. He related the current depth is around five or six feet.

6. UPDATE ON THE PERMIT CENTER AND CITY HALL REMODEL

City Manager Monahan introduced Risk Manager Mills. He told the Council Ms. Mills is responsible for the remodel. Ms. Mills distributed a handout (Agenda Item No. 6, Exhibit 1) entitled "Permit Center & City Hall Remodel Update." The handout is on file in the City Recorder's office. Ms. Mills noted the engineer's estimate for the cost of the project has increased due to the rising cost of steel, concrete and petroleum.

Ms. Mills explained the DUST (Divvy Up Space and Technology) Committee was made up primarily of department heads and executive staff. The goal of the committee was to configure the remodel to meet the needs of customers. The old library is slated to become a permit center.

Ms. Mills summarized the timeline on page one of the handout.

The permit center will contain community development, engineering, human resources and risk. Six conference rooms are planned for this facility. City Hall will house the City Manager and his immediate staff and finance.

Ms. Mills discussed project costs. Pricing on steel, concrete and petroleum based products has been volatile and there has been an unprecedented increase in the cost of these items. The engineer's estimate for the remodel of the permit center and City Hall is \$82.83 a square foot and \$13.26 a square foot respectively. Ms. Mills described some of the project cost drivers listed on the handout. Mr. Monahan mentioned the library's lack of sufficient restrooms. Correcting this issue will contribute to the remodel cost. Ms. Mills commented that based on the engineer's estimate, the city has budgeted \$1.1 million in the CIP facilities fund. She noted there is also a CIP facilities fund general contingency available in the event costs come in above the engineer's estimate.

In response to a question from Councilor Woodruff, Ms. Mills relayed modular units will remain in place for now. She noted they may be used for records or evidence storage or may be used to accommodate growth should the Bull Mountain annexation take place. Record and evidence storage was discussed further, with Mr. Monahan relating the public works building may become a possible storage site when this department relocates to the water building.

7. REVIEW OF TUALATIN BASIN GOAL 5 MAP

Community Development Director Hendryx and Associate Planner Hajduk presented this item. Two handouts, a "Summary of Existing Natural Resource Regulations" (Agenda Item No. 7, Exhibit 1) and a "Comparison Between Areas of Existing Regulation and Areas Discussed with Current Goal 5 Efforts" (Agenda Item No. 7, Exhibit 2), were distributed.

Ms. Hajduk presented a Tigard area map depicting natural resources which are currently regulated. These resources include: steep slopes, floodplains, wetlands and stream and wetland buffers. Ms. Hajduk's first handout provided a brief overview of the current regulations as they apply to these resources.

Ms. Hajduk presented a second Tigard area map depicting additional areas which would potentially be regulated by Goal 5. She distributed a second handout which compared land which falls under current regulations to land that would be regulated under Goal 5. She remarked areas identified on the proposed Goal 5 map

represented about 1,000 additional acres. About 450 acres of the additional land is considered buildable. Criteria for upland wildlife habitat were discussed briefly.

Councilor Wilson expressed concern over habitat preservation and mitigation. He stated the initial goal was to prevent any further loss of habitat and to actually improve existing habitat. He indicated the proposed plan was not realistic. He feared the proposal would not only fail to address the goal, but would create cumbersome regulations.

It was noted urban growth expansion areas 63 and 64 show large portions of land which fall under the "strictly limited" category. Ms. Hajduk responded this did not mean these areas could not be developed. If developed, however, developers may have to mitigate, minimize the impact of development, or pay a fee.

Councilor Wilson pointed out the majority of the land affected by Goal 5 was residential. He asserted it would be preferable to preserve such land. He added it was ineffective to mitigate.

Councilor Woodruff concurred by saying in the Bull Mountain white papers and the visioning process, the community communicated it wished to save as much land as possible.

Councilor Sherwood inquired about the impact to property owners. Councilor Wilson responded he would like to see property owners offer to conserve their property in exchange for rights to move the urban growth boundary, in a sense trading urban reserve property for land contained within the boundary. He reiterated the proposed regulations seemed cumbersome and ineffective.

Mayor Dirksen advocated for the involvement of environmental experts in the process. Ms. Hajduk stated once program specifics are identified, modeling would be employed to determine if environmental health would be improved.

Mayor Dirksen expressed concern over the creation of burdensome regulations and restrictive policies.

Ms. Hajduk advised recommendations had been received from local environmental groups. The recommendations included:

- prohibiting development in all floodplains located in commercial and residential areas
- classifying all Class I and II resource areas as strictly limited

- prohibit development in certain areas where species of concern have been identified.

The Tualatin Riverkeepers also recommended the following be classified as strictly limited:

- all floodways, wetlands, wetland buffers and vegetated stream corridors
- Class I and Class A resources in parks
- Class I and Class A resources in industrial areas along Fanno Creek down stream of Highway 99W and on Red Rock Creek

Ms. Hajduk informed the Council they did not need to take any action on this issue. There will be additional opportunities to shape the program as it evolves. She reported some citizen groups were advocating for stricter regulations.

Mr. Hendryx verified the calculations of buildable land included the Bull Mountain area, but not the urban reserve areas. Ms. Hajduk noted there was more buildable land on Bull Mountain than in the City of Tigard.

Ms. Hajduk informed the Council limits were determined based upon the resource and the zone. She added higher intensity uses received lower levels of limit because there is a greater economic need. Reserve areas were placed at a higher level, not because they have higher value, but because they are basically a clean slate and have more potential to be saved.

Councilor Woodruff indicated he supported saving as much open space as possible without penalizing property owners. He noted this was a consistent message expressed by citizens. Councilor Wilson replied property owners would be impacted by such action.

8. COUNCIL LIAISON REPORTS: None.

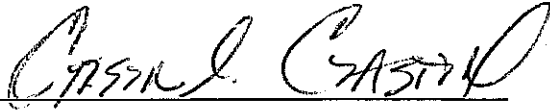
9. NON-AGENDA ITEMS

City Manager Monahan consulted the Council regarding the appointment of the new Director of Public Works.

Councilor Sherwood announced a story about Bonita Villa and Bonita Park appeared recently in a national magazine.

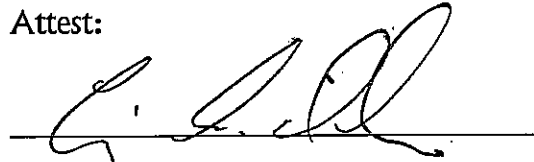
- EXECUTIVE SESSION: No executive session was held.

The meeting adjourned at 9:42 p.m.

A handwritten signature in dark ink, appearing to read "Greer A. Gaston", written over a horizontal line.

Greer A. Gaston, Deputy City Recorder

Attest:

A handwritten signature in dark ink, written over a horizontal line.

Mayor, City of Tigard

Date: July 13, 2004